



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/046,257      | 01/16/2002  | Mutsumi Matsumoto    | 1341.1118           | 3568             |

21171 7590 03/22/2005

STAAS & HALSEY LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER

GART, MATTHEW S

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

3625

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/046,257

Applicant(s)

MATSUMOTO, MUTSUMI

Examiner

Matthew s Gart

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 6-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Priority*

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Drawings*

The drawings were received on 1/10/2005. The Examiner accepts these drawings.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-3 and 6-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Moreno Patent Application Publication US 2002/0035515 A1.**

Referring to claim 1. Moreno discloses a method of managing delivery goods comprising:

- Receiving identification information for delivery goods entered by a deliverer when a recipient of the delivery goods is absent (paragraph 0051 through 0054);

Art Unit: 3625

- Extracting delivery goods information and recipient information relevant to the delivery goods identification information from a storage unit which stores the delivery goods information and the recipient information corresponding to the delivery goods information (paragraph 0052: "After the customer request has been received by the service provider, the request is then processed (Block 304). Depending upon the type of request, and the nature of the goods/services requested, this processing may encompass numerous steps or very few and may require contacting third party vendors, carriers, and others."); and
- Notifying said recipient of the delivery goods information based on the recipient information (paragraph 0054: "Once delivery/pick-up of the goods is accomplished, a system implementing the process notifies the customer of the delivery."), wherein the delivery goods information includes a message requesting the recipient to confirm as to whether the recipient approves or rejects reception of the goods (Figure 6D, "Refuse to Sign").

Referring to claim 2. Moreno further discloses a method of managing delivery goods comprising:

- Receiving information for a request to confirm reception of delivery goods entered by a deliverer when a recipient of the delivery goods is absent (Figure 6C, 6D and 6E), wherein the information includes a message requesting the recipient to confirm as to whether the recipient approves or rejects reception of the goods (Figure 6D, "Refuse to Sign"),

Art Unit: 3625

- Extracting recipient information from a storage unit which stores the recipient information corresponding to the information for the delivery goods reception confirmation request (Figure 6C, 6D and 6E); and
- Notifying said recipient of the confirmation request information based on the recipient information (Figure 6C, 6D and 6E).

Referring to claim 3. Moreno further discloses a method of managing delivery goods according to claim 1, comprising:

- Further storing information for a deliverer corresponding to the delivery goods information in said storage unit and receiving the delivery goods identification information and reception approval/refusal information entered by said recipient (Figure 6C, 6D and 6E);
- Extracting the deliverer information relevant to the delivery goods identification information from said storage unit; and notifying said deliverer of the reception approval/refusal information based on the deliverer information (Figure 6C, 6D and 6E).

Referring to claim 6. Claim 6 is rejected under the same rationale as set forth above in claims 1-4.

Referring to claim 7. Claim 7 is rejected under the same rationale as set forth above in claims 1-4.

Art Unit: 3625

Referring to claim 8. Claim 8 is rejected under the same rationale as set forth above in claims 1-4.

Referring to claim 9. Claim 9 is rejected under the same rationale as set forth above in claims 1-4.

Referring to claims 10-12. Claims 10-12 is rejected under the same rationale as set forth above in claims 1-4.

Referring to claim 13. Moreno discloses a method in a data processing system for managing the delivery of an item to a receiver comprising:

- Determining that delivery attempted to deliver an item to a receiver (paragraph 0095);
- Determining that the deliverer did not deliver the item because the deliverer could not get approval from the receiver (paragraph 0095);
- Notifying the receiver of the delivery attempt (paragraph 0095); and
- Determining whether the receiver approves or rejects delivery (paragraph 0095).

### ***Response to Arguments***

Applicant's arguments filed 1/10/2005 have been fully considered but they are not persuasive.

The Applicant argues that Moreno does not disclose, "requesting the recipient to confirm as to whether the recipient approves or rejects reception of the goods."

The Examiner notes, Moreno does disclose a method wherein a customer signs-in with the server, via a kiosk or otherwise, and selects the Pick-Up Delivery button **604**, the server suitably identifies to the customer whether a signature is or is not required to accept the goods, as shown in FIG. 6C. Information about the carrier and/or the vendor providing the goods is also provided to the customer, in certain embodiments of the present invention. The customer may then appropriately "sign" for the goods. As shown in FIG. 6D, such signature may be accomplished on a signature pad, however, other forms of signatures may also be utilized including, but not limited to, e-signatures. In the embodiment shown in FIG. 6D, the server also presents a representation of the customer's signature **606**, which the customer may indicate is complete (via button **608**), erase (via button **610**), or refuse to sign (via button **612**--in which case no signature is presented in field **606**. Based upon the requirements of the shipping arrangements specified by the vendor and/or the carrier, a refusal to provide a signature may result in the delivery to the customer being denied and access to the goods in the locker withheld until such signature is provided (paragraph 0095).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 3625

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew s Gart whose telephone number is 703-305-5355. The examiner can normally be reached on 8:30AM to 5:00PM m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Application/Control Number: 10/046,257

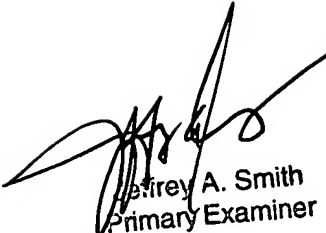
Page 8

Art Unit: 3625

MSG

Patent Examiner

March 15, 2005



Jeffrey A. Smith  
Primary Examiner